THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.5915 of 2007

Date:23.03.2007

Between:

Laxminarayana Gupta

PETITIONER

AND

The Chief General Manager, Commercial,
APCPDCP and others.

---------RESPONDENTS

ORDER:

The petitioner was connected with power supply under Category-III on 26.04.2005. Ever since then, no bill was issued till the premises were inspected on 28.12.2006. The respondents did not attribute any malpractices or illegality to the petitioner, but have proceeded to assess the consumption charges taking into account the contracted load and the reading in the meter. The amount payable by the petitioner was provisionally assessed at Rs.2,88,670/-. The petitioner was required to pay the entire amount within fifteen days. It is stated that the petitioner has deposited a sum of Rs.1,00,000/-. The grievance of the petitioner is that the respondents are insisting on payment of the balance, even while his representation about the inaccuracy of the demand is pending.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

The respondents issued an assessment notice for short billing on 05.01.2007. Apart from indicating the amount due by the petitioner, the notice had enabled him to submit a representation.

The petitioner availed that opportunity and submitted his representation. To ensure continuity of supply, the petitioner paid a sum of Rs.1,00,000/-. Insistence on payment of the balance would virtually render the representation and consideration thereof an empty formality.

For the foregoing reasons, the writ petition is disposed of, directing the respondents not to insist on payment of the balance amount covered by the assessment notice, dated 05.01.2007, till his representation, dated 17.01.2007, is disposed of. There shall be no order as to costs.

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23.03.2007

Note: Issue C.C. in two days.
(B/o)
kdl